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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,795	12/14/2000	Miyuki Tomikawa	21.1986/WMS	7326

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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/735,795	Applicant(s) TOMIKAWA ET AL.	
	Examiner Ramy M. Osman	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 4-8, 10 and 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 9 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

Status of Claims

1. This communication is responsive to RCE amendment filed on September 6, 2005, where applicant amended claims 1,9 and 11. Claims 1-3,9 and 11 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3,9 and 11 have been considered but are moot in view of the new ground(s) of rejection, as cited below.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: **Figure 3** fails to show the control table (ref # 105) as mentioned on line 12 of page 9. The specification states that each computer has a control table, however this is not shown in figure 3.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 recites the limitation "the input/output status" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1-3,9 and 11 rejected under 35 U.S.C. 102(b) as being anticipated by Rich (US Patent No 5,796,396).**

8. In reference to claim 1, Rich teaches an input/output control system for controlling the input and output of commands from a plurality of consoles to a server, comprising:

an input/output status controller controlling the input/output status of commands from respective consoles to the server so that only one console at a time is allowed to have input privilege and other of the consoles are allowed to have output privileges (column 2 lines 17-50 and column 6 lines 35-67); and

an input/output controller controlling the input/output of commands based on the input/output status so that the commands from the input privileged consoles are sent to the

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server, and response messages or results of execution from the server are sent to the input privileged console and the output privileged consoles (Summary, column 5 lines 35-55 and column 6 lines 35-67).

9. In reference to claim 2, Rich teaches the system as recited in claim 1, further comprising:

a display displaying console information identifying whether respective consoles have input/output privileges based on whether command input privileges are set for respective consoles (column 2 lines 35-60, column 5 lines 35-55 and column 6 lines 35-67).

10. In reference to claim 3, Rich teaches the system as recited in claim 1, wherein the input/output controller sets a type of input/output control based on the input/out status of a command received from the respective consoles (column 2 lines 35-60, column 5 lines 35-55 and column 6 lines 35-67).

11. In reference to claims 9 and 11, Rich teaches a computer readable storage medium storing program for implementing a method, and a method of controlling command input/output from a plurality of consoles to a server, comprising:

receiving commands input from the plurality of servers; updating an input status of the server in response to a first command received from a first console; controlling the input status of the server to exclude input of other commands to the server while in the updated input status (column 6 lines 20-60 and column 47 lines 1-45),

wherein only one console at a time is allowed to have input privilege and other of the consoles are allowed to have output privilege with the server (column 2 lines 17-50 and column 6 lines 35-67); and

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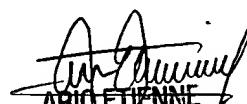
controlling the input/output of commands based on the input/output status so that the commands from the input privileged consoles are sent to the server, and response messages or results of execution from the server are sent to the input privileged console and the output privileged consoles (Summary, column 5 lines 35-55 and column 6 lines 35-67)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
September 17, 2005


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
EBC/TECNOLOGY CENTER 2100